

GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Public Services – Panchayat Raj and Rural Development Department – Allegations of possession of disproportionate assets and violation of A.P. Civil Services (Conduct) Rules, 1964 read with Rule 9 of A.P. Revised Pension Rules, 1980- Disciplinary proceedings initiated against Sri B. Raja Rao, Superintending Engineer, Panchayat Raj, Kakinada (Retired) - Enquiry Ordered – Enquiry Report – Further action – Dropped – Orders – Issued.

= = = = =

PANCHAYAT RAJ AND RURAL DEVELOPMENT (Vig.II) DEPARTMENT

G.O.Rt.No. 228

Dated:26.02.2010

Read the following:

1. G.O.Rt.No.711 Panchayat Raj and Rural Development (Vig.II) Department, dt.23.5.2006.
2. G.O.Rt.No.712 Panchayat Raj and Rural Development (Vig.II) Department, dt.23.5.2006.
3. From Sri B. Raja Rao, SE, PR, Kakinada (now retired) representation, Dated:14.07.06.
4. G.O.Rt.No.1811 Panchayat Raj and Rural Development (Vig.II) Department, dt.23.5.2006.
5. From G.A.(COI.CK) Department D.O.Letter No.560/COI.CK/A1/2008, Dt:11.11.2009.

<<>>

ORDER:

It has been brought to the notice of the Government by the Competent Authority that, Sri B. Raja Rao, Superintending Engineer, Panchayat Raj, Kakinada in having assets disproportionately to his known sources of income.

2. In Government Orders 1st and 2nd read above, the following charges were framed against Sri B. Raja Rao, Superintending Engineer, Panchayat Raj, Kakinada (now retired) for allegations of possession of disproportionate assets and violation of A.P. Civil Services (Conduct) Rules, 1964 read with Rule 9 of A.P. Revised Pension Rules, 1980.

CHARGE.1:

He acquired assets in the shape of movable and immovable properties in his name and in the name of his family members which were disproportionate to the known sources of his income during the check period as shown in the Assets in annexure-A and received income vide annexure- I and incurred expenditure vide annexure-E.

(P.T.O)

CHARGE.2:

He failed to obtain prior permission from the competent authority for acquisition of movable and immovable properties in his name and in the name of his family members as shown in the Annexure-D.

3. In response to the said charges, the Charged Officer has submitted his written statements of defence, vide his representation 3rd read above.

4. After examining the written statement of defence submitted by the Charged Officer, Government appointed Smt. Chandanakhan, IAS, Member, Commissioner of Inquiries, General Administration Department as Enquiry Officer under Rule.20 (2) of Andhra Pradesh Civil Service (C.C. & A) Rules, 1991 read with Rule 9 of A.P. Revised Pension Rules, 1980 to conduct departmental enquiry against Sri B. Raja Rao, Superintending Engineer, Panchayat Raj, Kakinada (now retired), vide 4th read above.

5. The Inquiring Authority i.e., Smt. Chandanakhan, IAS, Member, Commissioner of Inquiries, General Administration Department has submitted her Inquiry Report, vide reference 5th read above stating that "the disputes regarding expenditure and income between the prosecution and defence (as per the defence argument of the Charged Officer) has arisen on several grounds; that in his elaborate defence argument, Charged Officer has covered the allegation of disproportionate income point by point. It was to be remembered that in this case, the quantum of disproportionate is subject to interpretation and evidence; that the very fact that in some cases Charged Officer did not cross-examine the prosecution witnesses does not mean that he was giving his consent to all the observations of the P.Ws during deposition; that furthermore, I find it a little problematic to put a tag of price on household articles like sarees of wife and furniture. It is quite possible that many of these have been gifted by relatives and friends on different occasions and there would not be any proof to show about the same and the same may be true about gold and silver articles provided the same is not found in enormous quantity; that it is also quite possible that the family may sold some gold jewellery and invest the money in more profitable ventures with returns, as claimed by charged officer; that the arguments of the Charged Officer with plea for consideration of enhanced amount towards rental, enhanced income from agriculture while calculating the income cannot be rejected and if we are willing to accept, with valid reason, the contentions of the Charged Officer as explained in his defence argument, the gap amount of Rs.8,80,786/- can be covered and the case of prosecution regarding disproportionate asset is not substantiated. If there is no disproportionate asset case, the failure to take prior permission loses its edge'; and, the Enquiry Officer finally stated that, in the light of the analysis and observation as about the charges against the Charged Officer may be dropped.

(Contd..3...)

6. After careful examination of the Enquiry Report, Government have decided to agree with the findings of the Inquiring Authority, in the matter. Accordingly, Government hereby order to drop further action against the Charged Officer, viz., Sri B. Raja Rao, Superintending Engineer, Panchayat Raj (Retd.), on the allegations of possession of disproportionate assets and violation of conduct rules, in view of the findings of the Commissioner of Inquiries, in the matter.

7. The Engineer-in-Chief, Panchayat Raj shall take necessary further action, in the matter, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

R.SUBRAHMANYAM
PRINCIPAL SECRETARY TO GOVERNMENT

To

Sri B. Raja Rao, Superintending Engineer, Panchayat Raj (Retd.) through the Engineer-in-Chief, Panchayat Raj, Hyderabad.

The Engineer-in-Chief, Panchayat Raj, Hyderabad

Copy to:

The Director General, Anti Corruption Bureau, Hyderabad. (156/RCT-REG/2002)

The Secretary, A.P.Vigilance Commission, Hyderabad. (769/VC.G1/2002)
SF/SCs.

// FORWARDED :: BY ORDER //

SECTION OFFICER